

SAMPLE RESOLUTION IN SUPPORT OF AB 1079 (PEREZ)

City of Calexico Resolution in support of AB 1079 (Perez) requiring the California Environmental Protection Agency, the State Water Resources Control Board, and the Colorado River Basin Regional Water Quality Control Board to take all necessary action to provide support to the City of Calexico and County of Imperial to implement the New River Public Health Improvement Project, as defined.

WHEREAS: The New River poses an imminent and severe threat to the public health of residents of Calexico, California and adjacent communities in Imperial County; and

WHEREAS Since the 1940s, the New River has been recognized as a significant pollution and human health problem, primarily because of extremely high concentrations of fecal coliform bacteria. The waterway's pathogens include pathogens that cause tuberculosis, encephalitis, polio, cholera, hepatitis, and typhoid; levels for many of these contaminants are in violation of federal, state, and Mexican standards by several hundredfold; and

WHEREAS The New River is listed as an impaired river by the United States Environmental Protection Agency due to low dissolved oxygen (DO) and the presence of chlordane, chlorpyrifos, copper, dichloro-diphenyl-trichloroethane (DDT), diazinon, dieldrin, mercury, nutrients, pathogens, PCBs, sediment, selenium, toxaphene, toxicity, trash, and volatile organic compounds (VOCs); and

WHEREAS The New River is a major contributor of pollution to the Salton Sea, and failure to address water quality problems in the New River are impeding the ability of the state to implement laws and programs designed to restore and protect this important environmental and wildlife habitat resource; and

WHEREAS AB 1079 has been introduced by Assemblyman Manuel Perez in the 2009-2010 legislative session to require the State of California to support the "New River Public Health Improvement Project" that consists of sewage treatment, pollution prevention, and the restoration and enhancement of the New River channel to protect human health and the natural environment as authorized in Section 7043.5 of the Water Code; and

WHEREAS AB 1079 requires the California Environmental Protection Agency (Cal/EPA), the California State Water Resources Control Board (SWRCB) and the Colorado River Basin Regional Water Quality Control Board to take all necessary actions to provide support to the city and county to implement the project for the California-Baja border region; and

WHEREAS In 2005 Congress has appropriated \$4,000,000.00 from the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act (H.R. 3, 109th Congress) to the City of Calexico for the development of bicycle paths and public park space adjacent to the New River; and

WHEREAS In 2007 Congress passed the 2007 Water Resources Development Act (WRDA) and this law authorized "\$10 million in funding for wastewater infrastructure, including a wastewater disinfection facility and polishing system, to improve water quality in the vicinity of Calexico, California, on the southern New River, Imperial County, California"; and

WHEREAS AB 1079 requires Cal/EPA and the SWRCB to seek funding from the United States Environmental Protection Agency, the International Boundary and Water Commission, the Border Environment Cooperation Commission, the North American Development Bank, and other agencies as necessary to carry out the provisions of the legislation, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CALEXICO CALIFORNIA:

1. The Mayor and City Council of the City of Calexico declare their support for AB 1079 by Assemblyman Manuel Perez, and urge the California Legislature to enact swift passage of this legislation.
2. The Mayor and City Council of the City of Calexico also urge Assemblyman Perez and Senator Denise Ducheny to work closely with Governor Schwarzenegger to identify funds in the 2009-2010 Fiscal Year Budget to identify appropriate funding to begin the environmental review process for the New River Public Health Improvement Project as defined in AB 1079.
3. This Resolution shall take effect immediately.